

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re

**GIOIA F. CALISI,**

Debtor.

**Hearing Date: 1/23/13**  
**Time: 10:00 A.M.**

**Chapter 7**

**Case No. 12-12691 (BRL)**

**NOTICE OF MOTION OF CHAPTER 7 TRUSTEE FOR ENTRY OF AN ORDER  
PURSUANT TO 11 U.S.C. §§541 AND 542 AND FEDERAL RULES OF  
BANKRUPTCY PROCEDURE 7001, 9006, 9013 AND 9014 TO  
TURN OVER PERSONAL INJURY FILE AND PURSUANT  
TO LOCAL RULE 2090-1(e)**

**PLEASE TAKE NOTICE** that upon the annexed motion (the "Motion"), Robert L. Geltzer, the Chapter 7 trustee (the "Trustee") for Gioia F. Calisi, the debtor (the "Debtor") by his counsel, the Law Offices of Robert L. Geltzer will move this Court before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, Room 623, New York 10004 on January 23, 2013 at 10:00 a.m. or as soon thereafter as counsel can be heard for an Order, pursuant 11 U.S.C. §541 and 542, and Federal Rules of Bankruptcy Procedure 7001, 9006, 9013 and 9014 to turn over a personal injury file of the Debtor.

**PLEASE TAKE FURTHER NOTICE**, that you need not appear at the Hearing if you do not object to the relief in the Motion.

**PLEASE TAKE FURTHER NOTICE**, responding papers filed by entities with legal representation shall be filed (a)(i) through the Bankruptcy Court's electronic filing system (in accordance with General Order M-399), which may be accessed (with a password which is available by contacting the Bankruptcy Court's technical assistance at (212) 668-2870, ext. 3522, Monday through Friday, 8:30 a.m. to 5:00 p.m.) through the Internet at the Bankruptcy Court's website: [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), and (ii) in portable document from (PDF) using Adobe Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the responding papers in PDF format on a diskette in an envelope with the case name, case number, type and title of the document, docket number of the document to which the responding papers refer, and the file name on the outside of the envelope; or (c) if a party is unable to file electronically or use PDF format, such party shall submit the responding papers on a diskette in either Word, WordPerfect, or DOS text (ASCII) format. An objection filed by a party with no legal representation shall comply with section (b) or (c) as set forth in this paragraph. A hard copy of the objection, whether filed pursuant to section (a), (b) or (c) as set forth in this paragraph, shall be delivered directly to the Chambers of the

Honorable Burton R. Lifland, at the above address, and counsel to the Trustee, the Law Offices of Robert L. Geltzer, 1556 Third Avenue, Suite 505, New York, New York, 10128 (Attention: Robert L. Geltzer, Esq.), and attorney for the Debtor, David J. Babel, Esq., 2525 Eastchester Road, Bronx, New York 10469, and the Office of the United States Trustee, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attention: Richard C. Morrissey, Esq.), so as to be received at least seven (7) days prior to the Hearing.

**PLEASE TAKE FURTHER NOTICE**, that the Hearing may be adjourned from time to time without notice to any creditor or other party-in-interest other than by announcement of the adjourned date in open Court on the date of the Hearing or any adjourned date thereof.

Dated: New York, New York  
December 7, 2012

Law Offices of  
ROBERT L. GELTZER  
Counsel to Trustee

By: /s/ Robert L. Geltzer  
Robert L. Geltzer (RG 4656)  
A Member of the Firm  
1556 Third Avenue, Suite 505  
New York, New York 10128  
(212) 410-0100

TO: Luigi Izzo, Esq.  
Pre-petition Personal Injury Counsel  
Office of the United States Trustee  
David J. Babel, Esq., Debtor's Attorney  
Gioia F. Calisi, Debtor